

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed August 1, 2007. Applicant appreciates the Examiner's recommendations and has amended claims accordingly. Reconsideration and allowance of the application and pending claims are therefore respectfully requested.

I. Claim Objections

Claim 2 is objected to based on informalities. Accordingly, Applicant has amended claim 2, changing "one of more" to - one or more - , as suggested by the Examiner. Claim 2 should therefore be allowable.

II. Double Patenting Rejection

Claims 1, 3-5, 7-13, 15-16, 21-23, 25, 28, 30, 31-34, 40-43 and 47 have been rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-4, 8-10, 13, 20, 23, 24, 27, 36, 41 and 36 of U.S. Patent No. 7221,800 B2. In order to avoid further expenses and time delay, Applicant files herewith a terminal disclaimer in compliance with 37 CFR 1.321 (b) and (c) to overcome the double patenting rejections based on U.S. Patent No. 7,221,800 B2. The terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Accordingly, the rejection of claims 1, 3-5, 7-13, 15-16, 21-23, 25, 28, 30, 31-34, 40-43 and 47 on the grounds of non-statutory obviousness-type double patenting should be withdrawn.

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III. Allowable Subject Matter

Claim 39 is expressly allowed. Applicant appreciates the allowance of this claim.

Claims 2, 6, 14, 17, 18, 19, 20, 24, 26, 27, 29, 35, 36, 37, 38, 44, 45, 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted above, Applicant has filed a terminal disclaimer to overcome the double patenting rejections of claims 1, 3-5, 7-13, 15-16, 21-23, 25, 28, 30, 31-34, 40-43 and 47 based on U.S. Patent No. 7221,800 B2. As claims 2, 6, 4, 17, 18, 19, 20, 24, 26, 27, 29, 35, 36, 37, 38, 44, 45, 46 depend from variously from allowable claims 1, 3-5, 7-13, 15-16, 21-23, 25, 28, 30, 31-34, 40-43 and 47, claims 2, 6, 14, 17, 18, 19, 20, 24, 26, 27, 29, 35, 36, 37, 38, 44, 45, 46 are also allowable.

Accordingly, all claims 1-47 are now in condition for allowance.

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CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (208) 396-5287.

Respectfully submitted,



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